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June 27, 2023

Re: *In re Anadarko Petroleum Corp. Sec. Litig.*, No. 4:20-cv-00576 (S.D. Tex.)

Dear Judge Eskridge:

Pursuant to Rule 15(c) of Your Honor's Court Procedures, Defendants respectfully write to respond to Plaintiffs' June 26, 2023 letter ("June 26 Letter") seeking suspension of the final pretrial conference and related joint pretrial order ("PTO") and motions *in limine* ("MIL") deadlines. (Dkt. 196.)

The parties previously provided availability for a trial in October and November of this year, and Defendants are interested in proceeding efficiently toward trial in that time frame. As Defendants' counsel advised Plaintiffs' counsel during a call on June 21, 2023, Defendants are willing to accommodate an extension of the PTO and MIL deadlines provided the extension does not impact timing for trial. Defendants also indicated that Plaintiffs may amend and/or supplement their trial exhibit and witness lists if a final order is entered compelling Defendants to produce the documents that are subject to the Court's March 31 Order Compelling Production of Investigation Documents ("March 31 Order"). Plaintiffs have conducted extensive discovery in this case, taking 20 fact witness depositions and obtaining over 450,000 documents through document requests. In light of this extensive discovery, Defendants anticipate that any further document production in response to a final order compelling production of the investigation documents will have little, if any, impact on Plaintiffs' trial strategy. And contrary to Plaintiffs' suggestion that Defendants have *de facto* granted themselves a stay with respect to the Court's March 31 Order, it is Plaintiffs who have failed to move the ball forward. On April 28, 2023, following a meet and confer, Defendants provided Plaintiffs with a written letter explaining their views on the scope of the Court's March 31 Order. Nearly two months have passed, and Plaintiffs have provided no response.

To efficiently address the scheduling issues Plaintiffs raise in their June 26 Letter, Defendants respectfully request that the Court schedule a status conference at its earliest convenience. Defendants also respectfully request a hearing on (1) Defendants' Motion for Reconsideration of the Court's Class Certification Order, Dkt. 143, and (2) Defendants' Motion to Reconsider, or in the Alternative, Certify for Interlocutory Appeal the Court's Order Compelling Production of Investigation Documents, Dkt. 192.

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Respectfully,

/s/ Kevin J. Orsini
Kevin J. Orsini

Hon. Charles R. Eskridge III
U.S. District Court for the Southern District of Texas
515 Rusk Street, Room 9015
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VIA ECF